

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 11-2664

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IN RE: AVANDIA MARKETING, SALES PRACTICES and PRODUCTS LIABILITY  
LITIGATION GLAXOSMITHKLINE, LLC & GLAXOSMITHKLINE, PLC

HUMANA MEDICAL PLAN, INC. and HUMANA INSURANCE COMPANY,  
individually and on behalf of all others similarly situated,  
Appellants

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APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
(D.C. Civ. No. 10-6733 and MDL 1871)

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Argued on January 24, 2012

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Before: McKEE, *Chief Judge*, FISHER, and GREENAWAY, JR., *Circuit Judges*.

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JUDGMENT

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This cause came on to be heard on the record from the United States District Court for the Eastern District of Pennsylvania and was argued on January 24, 2012.

On consideration whereof, it is now hereby ORDERED and ADJUDGED that the order of the District Court entered June 13, 2011 be, and the same is hereby, VACATED and the case REMANDED for further proceedings. All in accordance with the Opinion of this Court. Parties to bear their own costs.

ATTEST:

/s/Marcia M. Waldron  
Clerk

Dated: June 28, 2012

The seal of the United States Court of Appeals for the Third Circuit is circular. It features an eagle with spread wings perched atop a shield. The shield is divided into sections, with a central section containing a constellation of stars. The words "UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT" are inscribed around the perimeter of the seal.  
Certified as a true copy and issued in lieu  
of a formal mandate on 08/14/2012

Teste: *Marcia M. Waldron*  
Clerk, U.S. Court of Appeals for the Third Circuit